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1-16-01
SL

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

SAMSON OMOSEFUNMI,
Plaintiff

vs.

YORK COUNTY PRISON, et al.,
Defendants

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:
:
:
:

CIVIL ACTION NO. 1:CV-00-2228

FILED
HARRISBURG, PA

JAN 12 2001

O R D E R

MARY E. D'ANDREA, CLERK
PER *gts* **DEPUTY CLERK**

THE BACKGROUND OF THIS ORDER IS AS FOLLOWS:

On December 27, 2000, we issued an order requiring the Plaintiff to fill out this court's standard forms for applying for in forma pauperis status and for authorizing deductions from his prison account. On January 12, 2001, the Plaintiff filed a form apparently in use in some other court but which he believed was comparable to ours, explaining that this court's forms were "inadvertently" not attached to the copy of the order he received.

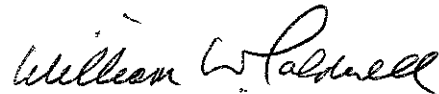
Our review of the form the Plaintiff used indicates that it is not comparable to ours. For example, it does not request information on previous lawsuits or appeals the Plaintiff may have filed while a prisoner that were dismissed as frivolous, malicious, or for failure to state a claim upon which relief may be granted. We need this information to determine if the

Plaintiff is entitled to proceed with this lawsuit without prepayment of the full filing fee.

Therefore, we are sending the Plaintiff new copies of the forms for him to complete. They are attached to this order.

Accordingly, this 12th day of January, 2001, it is ordered that:

1. Within 20 days of the date of this order, the Plaintiff shall complete and file the attached application and authorization forms.
2. If he fails to do so, this action will be dismissed.



William W. Caldwell
United States District Judge

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

Samson Omosefunmi	:	
	:	
	:	1:CV-00-2228
	:	Civil Case No.
	:	
	:	
Name of Plaintiff(s)	:	William W. Caldwell
v.	:	Judge
	:	
York County Prison, et al.	:	(Number and Judge to be
	:	assigned by court)
	:	
	:	
	:	
Name of Defendant(s)	:	

APPLICATION TO PROCEED IN FORMA PAUPERIS

PLEASE READ CAREFULLY AND FULLY COMPLETE EACH SECTION.

1. _____ I am willing to pursue my claims in this action under the new provisions of The Prison Litigation Reform Act, understanding that pursuing my claim requires payment of a partial filing fee and deduction of sums from my prison account when funds exist until the filing fee of \$150.00 has been paid in full.

2. _____ I have enclosed an executed Authorization form which authorizes the Institution holding me in custody to transmit to the Clerk a certified copy of my trust account for the past six (6) months as well as payments from the account in the amounts specified by 28 U.S.C. §1915(b).

3. Have you, prior to the filing of the complaint in this action and while a prisoner as that term is defined in 28 U.S.C. § 1915(h), brought 3 or more actions or appeals in a court of the United States that were dismissed as frivolous, malicious, or for failure to state a claim upon which relief may be granted? Yes _____ No _____
 - (a) If the answer is "yes," are you now seeking relief because you are under imminent danger of serious physical injury?
Yes _____ No _____

- (b) Please explain in detail why you are under imminent danger of serious physical injury:

4. (a) Are you presently employed at the Institution? Yes ____ No ____

(b) If yes, what is your monthly compensation? \$____

5. Do you own any cash or other property; have a bank account; or receive money from any source? Yes ____ No ____

If the answer is "yes" to any of the above, describe each source and the amount involved.

I certify under penalty of perjury that the foregoing is true and correct.

Executed on _____
(Date)

(Signature of Plaintiff)

This certification is executed pursuant to Title 28, United States Code, Section 1746.

AUTHORIZATION

(Prisoner's Account Only)

Case No. 1:CV-00-2228

NOTE: Completing this authorization form satisfies your obligation under 28 U.S.C. § 1915(a)(2) to submit a certified copy of your trust fund account.

I, Samson Omosefunmi, request and authorize the agency holding me in custody to send to the Clerk of Court, United States District Court for the Middle District of Pennsylvania, a certified copy of the statement for the past six months of my trust fund account (or institutional equivalent) at the institution where I am incarcerated. I further request and authorize the agency holding me in custody to calculate and disburse funds from my trust account (or institutional equivalent) in the amounts specified by 28 U.S.C § 1915(b).

This authorization is furnished in connection with the filing of a civil action, and I understand that the filing fee for the complaint is \$150.00. I also understand that the entire filing fee will be deducted from my account regardless of the outcome of my civil action. This authorization shall apply to any other agency into whose custody I may be transferred.

Date: _____, 2000

Signature of Prisoner

